United Nations A/ES-10/269–S/2004/409

General Assembly
Security Council

Distr.: General
19 May 2004

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-ninth year

Identical letters dated 19 May 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

While the Palestinian people continue to await action by the international community, including by the Security Council, to stem the mounting toll of death and destruction being caused by Israel, the occupying Power, in the Occupied Palestinian Territory, the occupying forces today continued their terror and killing spree in the Rafah refugee camp in the Gaza Strip, slaughtering several more Palestinian civilians, including several children.

In the afternoon hours of today (Palestine time), the Israeli occupying forces, using helicopter gunships, tank shelling and machine gunfire, opened fire on the large crowd of more than 3,000 Palestinian civilians who were marching from Rafah towards the Tel El-Sultan neighbourhood in protest against the invasion and destruction of the camp and their homes and the killing of dozens of Palestinians in recent days. These people were unarmed civilian demonstrators, many of them schoolchildren and women. As the situation on the ground in the Rafah area remains chaotic, it has been difficult to determine the exact number of casualties caused by the brutal and vicious Israeli attack. However, as of now, it is being reported that at least 10 Palestinian civilians were killed in the assault, most of them children, and that more than 60 other civilians have been wounded by the shelling and shrapnel, dozens of them critically. In addition, nine other Palestinians were also killed by the occupying forces today.

The hospital in Rafah has been unable to keep up with the number of casualties and a medical emergency has been declared in the Gaza Strip as doctors and rescue personnel attempt to secure enough supplies, blood and transportation to care for all those wounded as a result of the occupying Power's excessive and indiscriminate use of force. In addition, it has been reported that the Israeli occupying forces obstructed the passage of several ambulances trying to take some of the critically wounded from Rafah to Khan Yunis today, delaying the ambulances at checkpoints and then only allowing them to pass on dirt roads and not the main

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thoroughfare. Compounding the humanitarian crisis and desperation in Rafah has been the fact that residents were cut off from electricity and water services for many hours since yesterday and a curfew has been imposed on the entire camp.

Without any doubt, the actions today of Israel, the occupying Power, constitute war crimes. The wilful killing and injury of civilians constitute grave breaches of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. Today's actions by the occupying Power must be added to the long series of crimes committed by it against the Palestinian people. Such crimes were not just committed today or yesterday, for it is a fact that Israel has been incessantly committing all forms of war crimes, State terrorism and systematic human rights violations against the Palestinian people for days, weeks, months, years and decades since it began its occupation in 1967. The perpetrators of all those crimes must be held accountable.

In the light of these serious developments and the continuing deterioration of the situation on the ground, we reiterate our appeal to the international community, including the Security Council, urgently to take action to address the growing crisis. Measures must be taken to bring a halt to the ongoing Israeli onslaught against the Palestinian people, to compel Israel to adhere to international law, including international humanitarian law, and to provide for the protection of the defenceless civilian population under Israel's occupation. Only serious efforts by the International community can stop the bloodshed and destruction and the further destabilization of this dangerous situation.

The present letter is in follow-up to our previous 191 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. Those letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 18 May 2004 (A/ES-10/268-S/2004/402), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of those war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my deepest regret to inform you that, since my letter to you yesterday, at least 19 more Palestinians, including many children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,023 Palestinians. (The names of the martyrs that have been identified are contained in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 19 May 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Wednesday, 19 May 2004)

Wednesday, 19 May 2004

1. Ibrahim Jihad Al-Qan (18 years old)
2. Tayseer Zaki Klob
3. Mohammed Hussein Turkman
4. Issam Nazem Arafat
5. Khalil Abu Sa'deh
6. Mohammed Abdallah Abu Nasser (16 years old)
7. Saber Abu Libdeh (13 years old)
8. Osama Abu Nasser
9. Shadi Fayez Al-Mughazi
10. Said Naji Abu Qamar
11. Ala'a Muslim Shikh Al-Eid
12. Mohamed Talal Abu Shaa'r (18 years old)
13. Fuad Ammar Al-Saqa (13 years old)
14. Ashraf Abu Mar'aei
15. Mubarak Saleem Al-Hashash (11 years old)
16. Ahmed Jamal Abu Saeed (13 years old)
17. Mohammed Tarek Mansour (12 years old)
18. Rajab Nimer Barhoum (15 years old)
19. Ayman Aballah Abu Jalhoub (18 years old, sustained wounds from 1 May 2004)

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* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 3,023.

United Nations A/ES-10/270–S/2004/485

General Assembly
Security Council

Distr.: General
10 June 2004

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
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Security Council
Fifty-ninth year

Identical letters dated 10 June 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

It has been more than three weeks since the Security Council adopted resolution 1544 (2004), in which the Council, inter alia, called on Israel to respect its obligations under international humanitarian law, and insisted, in particular, on its obligation not to undertake demolition of homes contrary to that law. Yet Israel has not complied with the resolution, responding instead with blatant contempt and disregard for the international community and for the rule of international law. In violation of resolution 1544 (2004) and in grave breach of the Fourth Geneva Convention and other relevant provisions of international humanitarian law, Israel, the occupying Power, continues to carry out its illegal policies and practices in the Occupied Palestinian Territory, including East Jerusalem.

Since my last letter to you following the vast destruction of Palestinian homes by the Israeli occupying forces in the Rafah area of the Gaza Strip and the brutal killing of dozens of Palestinian civilians in the area, including children, the occupying forces have continued to carry out military raids and attacks, to commit home demolitions and to kill and wound Palestinian civilians throughout the Occupied Palestinian Territory. Immediately after the adoption of resolution 1544 (2004), the Israeli occupying forces continued destroying even more homes and properties in the Rafah area, including the zoo in Rafah as well as greenhouses, irrigation systems, agricultural land and dozens of vehicles. The occupying forces also continued to target and kill Palestinian civilians in the area. Among those killed was a three-year-old Palestinian girl, Rawan Abu Zeid, who was shot in the head and neck by the occupying forces in the Brazil area of Rafah when she left her home to go to a nearby shop with some older children. In addition, the besieged residents of the Tel El-Sultan neighbourhood continued to suffer from lack of water and electricity owing to the extensive damage caused by the occupying forces to water networks and power lines, and mourners were even subject to Israeli gunfire during the mass funeral procession held on 24 May 2004 for 16 of the people who had been

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killed by the occupying forces and whose families were unable to reach them for burial during the siege.

While the destruction in the Rafah area continues to be assessed, hundreds and hundreds of Palestinian civilians who were made homeless as a result of the Israeli incursions and demolitions continue to be sheltered in schools and facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). These families have been devastated and are destitute; they have been once again displaced from their homes and dispossessed by Israel, which still continues to violate their human rights. The humanitarian situation in the Gaza Strip is dire and assistance continues to be urgently needed.

In addition, Israel, the occupying Power, continues to construct the expansionist Wall in the Occupied Palestinian Territory. The occupying forces have continued to confiscate more Palestinian land and destroy more Palestinian property, including agricultural fields, as the route of the Wall is being forcibly bulldozed through the Palestinian territory. Palestinian civilians continue to protest the unlawful taking of their lands and properties and trying to prevent the Wall's construction and the destruction of their communities. The occupying forces continue to use excessive and indiscriminate force against the demonstrators, causing more Palestinian casualties. Just today, the occupying forces injured at least 15 people during a demonstration against the Wall near the village of Al-Zawiya south-west of Nablus. In another recent incident, on Sunday, 6 June, the occupying forces fired at stone-throwing youths near the Qaladiya refugee camp near the site where work began last month on the Wall in that area. A 31-year-old Palestinian man, Arafat Ibrahim Ya'koub, who had been wounded and paralysed in the first intifada, was hit by a bullet to the head as he sat in his wheelchair outside a shop near the entrance to the camp. Regrettably, as shown by the annexed list of martyrs, this is only one of the many daily incidents of the continuing use of excessive force and disregard for human life by the Israeli occupying forces in the Occupied Palestinian Territory.

The present letter is in follow-up to our previous 192 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. Those letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 19 May 2004 (A/ES-10/269-S/2004/409), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of those war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my deepest regret to inform you that, since my last letter to you, at least 25 more Palestinians, including several children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,048 Palestinians. (The names of the martyrs that have been identified are contained in the annex to this letter.)

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 10 June 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Friday, 21 May 2004 to Thursday, 10 June 2004)

Friday, 21 May 2004

1. Ahmed Saleh Abu Siyam

Saturday, 22 May 2004

1. Hussein Ibrahim Hussein Al-Lada'ah (18 years old, sustained wounds from 11 May 2004)
2. Mohammed Sami Al-Hams (18 years old, sustained wounds from 1 October 2000)
3. Rawan Mohammed Abu Zeid (3 years old)
4. Mohamed Ahmed Jaber Al-Mughayer

Sunday, 23 May 2004

1. Sa'ad Adnan Rashed Ghazal
2. Sa'ad Alayan Zamel
3. Said Mohamed Darwish Al-Qotob

Monday, 24 May 2004

1. Adnan Jamal Al-Bahesh (13 years old)
2. Hamzeh Ali Asa'ad Al-Borini (16 years old)
3. Mohammed Mahmoud Zua'rub
4. Imad Khalil Abu Eid (17 years old)

Friday, 28 May 2004

1. Tayseer Mohammed Abu Awad
2. Nabil Rajab Zinou
3. Ayman Khamis Jamil Hassanein (sustained wounds from 20 May 2004)

Saturday, 29 May 2004

1. Shadi Mazen Naseer

Sunday, 30 May 2004

1. Wa'el Talab Nassar
2. Mohammed Mustafa Munib Sarsour
3. Madi Ahmed Madi

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 3,048.

Tuesday, 1 June 2004

1. Bilal Omar Yussef Abu Zeid

Wednesday, 2 June 2004

1. Tarek Sobeh Timraz
2. Hossam Ahmed Hamad

Sunday, 6 June 2004

1. Arafat Ibrahim Hussein Yaqoub

Monday, 7 June 2004

1. Mohammed Jamal Nabhan (17 years old)
2. Omar Abdeljabbar Abdelkhaliq Farkh

Wednesday, 8 June 2004

1. Ra'ed Musleh (sustained wounds)
2. Walid Awad Ashoor
3. Ma'moon Hussein Abu Al-Hassan Al-Zerani

United Nations A/ES-10/271–S/2004/506

General Assembly
Security Council

Distr.: General
21 June 2004

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
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Security Council
Fifty-ninth year

Identical letters dated 21 June 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Israel, the occupying Power, continues to build its expansionist Wall in the Occupied Palestinian Territory in direct violation of General Assembly resolution ES-10/13 of 21 October 2003, in which the Assembly demanded "that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, which is in departure of the Armistice Line of 1949 and is in contradiction to relevant provisions of international law". The occupying Power has continued to confiscate even more Palestinian land, to bulldoze and destroy more Palestinian property and to accelerate the building of the Wall also in blatant disregard for Assembly resolution ES-10/14, in which the Assembly requested the International Court of Justice to urgently render an advisory opinion on the issue, and in contempt for the ongoing deliberations of the Court on the matter.

In recent weeks, the occupying Power has issued land confiscation orders to Palestinians in the town of Salfit in preparation for the construction of the expansionist Wall deep in the Palestinian territory around the illegal settlement of "Ariel", which is located about 12 miles east of the Green Line and at the point in which the West Bank is only about 33 miles wide. According to several reports, the current plan is to build the Wall east of "Ariel" and other nearby illegal settlements, in what are being called "fingernails" by the occupying Power, leading to the de facto annexation of huge tracts of Palestinian land. Dozens of Palestinian villages and thousands of Palestinian inhabitants will be detrimentally affected by the construction of the Wall in these areas, with many of the villages being completely suffocated in walled enclaves.

Also, the occupying Power continues its illegal settlement and Wall activities on confiscated Palestinian land, in particular in and around Occupied East Jerusalem. The building of the Wall in, around and through the towns of A-Ram and Qalandiyah, north of Jerusalem, is isolating the villages and families from each

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other and making the lives of the Palestinian residents even more difficult to sustain. Protests and demonstrations against the Wall by Palestinians, Israelis and international activists in the Occupied Palestinian Territory have become a more frequent occurrence as Israel continues and accelerates its construction. The response of the Israeli occupying forces to the demonstrators has been characterized by its typical use of excessive, indiscriminate and disproportionate force. Dozens of Palestinians have been injured in recent days as they protested Israeli plans to confiscate thousands of acres of more land and tried to prevent demolition bulldozers from operating in the areas of 'Azawiyah, Dir Balut, Salfit and other towns and villages being directly affected by the Wall throughout the Occupied Palestinian Territory.

The escalation by Israel of such illegal activities and practices is clearly intended not for security purposes, as claimed by the occupying Power, but to entrench the occupying Power's de facto annexation of Palestinian land, particularly land on which illegal settlements have been build, and their surrounding areas, and to thus demarcate a new border in far departure from the pre-1967 borders. In this connection, it is important to draw attention to recent orders by the Israeli Minister for Defense, Mr. Shaul Mofaz, for the accelerated building of thousands more settlement units in the illegal settlement of "Etzion". Israel, in its relentless drive to build such facts on the ground, whether via the settlements or the Wall, has unquestionably aimed at retaining the land, rather than ending this unlawful 37-year occupation.

Such violations and grave breaches of international law continue to be committed by Israel, the occupying Power, while it continues to distract the attention of the international community with its purported plans to "disengage" from the Gaza Strip. In this regard, it is more than evident that Israel intends this disengagement not to be a genuine withdrawal but to be a means of redeploying from Gaza and containing and isolating it completely with no borders and no access to the rest of the Occupied Palestinian Territory. This intention was further clarified when the occupying Power this past week revealed plans to build a moat on Gaza's border with Egypt and opened bidding for contractors who want the project. It is being reported that the moat, which would be dug along the so-called Philadephi route, would be at least 4 kilometres long, 15-25 metres deep and about 120 metres wide, and that the occupying Power intends to demolish even more Palestinian homes in the area.

The situation in the Occupied Palestinian Territory, including East Jerusalem, continues to be critical and is becoming increasingly urgent as each passing day brings more Israeli violations of international law, including international humanitarian law, and of the rights of the Palestinian people. The building of the Wall and all of Israel's illegal practices in this regard are taking us farther away from a peaceful settlement and seriously undermining the two-State solution to the Israeli-Palestinian conflict. Indeed, if the building of this expansionist Wall does not cease and it is not dismantled, the two-States solution will be physically impossible to achieve. Such grave threats to the search for peace and stability must be addressed by the international community and urgent efforts must be taken to revive the peace process, bring the parties back to negotiations and implement the road map.

The present letter is in follow-up to our previous 193 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 10 June 2004 (A/ES-10/270-S/2004/485), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

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(*Signed*) Nasser **Al-Kidwa**
Ambassador
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